

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

CRIMINAL No. 00-0095 LH

ROBERT MANUELITO, BRANDON
CHERESPOSY, and DAVID SARRACINO,

Defendants.


MEMORANDUM OPINION AND ORDER

THIS MATTER comes on for consideration of David Sarracino's Second Motion in *Limine* (Docket No. 123), filed November 3, 2000. The Court, having considered the Motion and the applicable law, and otherwise being fully advised, finds that the Motion is not well taken and will be **denied**.

Defendant Sarracino asks the Court to order that each prosecution witness be directed *in limine* not to refer to the Prosecution as other than "The Prosecution" or "The Government." Movant apparently feels that it is prejudicial to refer to the prosecution in federal cases as "The United States of America."

The Court finds this Motion frivolous and totally unsupported by law.

IT IS HEREBY ORDERED that David Sarracino's Second Motion in *Limine* (Docket No. 123), filed November 3, 2000, is **DENIED**.


UNITED STATES DISTRICT JUDGE